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November 21, 2014

The Honorable Tom Wheeler
Chairman; Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

1225

RE: Preserving Low Power Television Options

Dear Chairman Wheeler:

As the Federal Communications Commission (FCC) moves forward with the Broadcast Television Spectrum Incentive Auction, I urge the Commission to take into consideration the effects of the auction and the repacking process on Low Power Television stations (LPTV), particularly those that reach underserved audiences.

I share your support for a timely and successful incentive auction, as mandated by the Middle Class Tax Relief and Job Creation Act, which will generate revenue and free spectrum for mobile broadband applications. However, I also believe the Commission should look holistically at the broadcast television landscape, including LPTV, and take into account the impact of repacking on audience access to the over the air programming they want and expect.

As you are aware, my colleagues Representative Joe Barton of Texas and Representative Anna Eshoo of California recently wrote to the Government Accountability Office to ask that they study the LPTV landscape and the possible effects of repacking on their ability to broadcast. Reps. Barton and Eshoo's letter raises important questions that should inform the Commission's deliberations on this issue, specifically gaining a better understanding of the effects of repacking on LPTV and a survey of the range of LPTV options available. I also appreciate that the FCC has requested comments from stakeholders on issues related to LPTV and the incentive auction, and I urge you to closely examine the feedback and ideas you receive during this process.

Above all, I urge the Commission to keep in mind the way its decisions will impact audiences, particularly those that are not well-served by full power television offerings. For example, in my district in the Los Angeles region, the large Armenian speaking population is served by LPTV stations, including US Armenian TV (KIIO) which broadcasts high-quality and original content. It is important that in evaluating LPTV's impact that the FCC distinguish between translator and other stations that simply rebroadcast commercial signals, and stations that reach an audience

that would otherwise not receive programming in their native language and relevant to their daily lives.

As the incentive auction process moves forward, I urge the Commission to continue to study the impact on LPTV and consider steps to ensure that as the process unfolds, audiences will continue to have access to the content they want and expect.

I appreciate your consideration of my views and request that you provide a response detailing the Commission's thinking on this topic. Please feel free to respond through my staff member, Jeff Lowenstein, who can be reached jeff.lowenstein@mail.house.gov.

Sincerely,

A handwritten signature in blue ink, reading "Adam B. Schiff". The signature is fluid and cursive, with the first name "Adam" and last name "Schiff" clearly legible.

Adam B. Schiff
Member of Congress



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

December 9, 2014

The Honorable Adam B. Schiff
U.S. House of Representatives
2411 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Schiff:

Thank you for your letter regarding the impact of the Broadcast TV Incentive Auction on low power TV (LPTV) stations. I appreciate hearing your views.

I agree that LPTV stations, such as KIIIO-LD in your district, can play an important role in providing information to consumers and businesses. In the Middle Class Tax Relief and Job Creation Act, Congress did not provide LPTV stations additional protections or an opportunity to participate in the Incentive Auction. However, in order to help accommodate LPTV following the Incentive Auction, the May 2014 *Incentive Auction Report and Order* permits these stations to remain on their existing channels during the transition period after the Incentive Auction, unless or until notified that they interfere with the primary service. We will also open a special filing window for any displaced stations to request new channels.

As you note, we have also initiated a proceeding to address other LPTV issues related to the Incentive Auction. This proceeding proposed various options for LPTV stations to continue serving their communities, including a possible extension of the low power digital transition deadline and channel sharing for LPTV stations.

I assure you that we will carefully review the comments in that proceeding. Your letter will be made part of the record in the proceeding.

Sincerely,

Tom Wheeler